

7/10/03
CJ

REMARKS

In the Official Action of April 11, 2003, pending claims 1-23 were rejected. Applicant files this response that addresses the rejections noted in the communication. The present response is fully responsive to the Official Action of April 11, 2003.

Para. 3. 35 USC 103(a) Rejection of Claims 1-7, 9, 11 and 12

Claims 1-7, 9, 11 and 12 were rejected under 35 USC 103(a) as being unpatentable over Reilly (USPN 6,427,164) in view of Robertson (USPN 6,269,369).

In order to establish *prima facie* obviousness, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981 (CCPA 1974). There is no teaching or suggestion in either of the above cited references for a method of “creating an access account” based on records from an existing database and “transmitting the access account to the individuals.” The reliance by the Examiner on Robertson to teach the same is improper. Robertson provides for individuals to create personal records and have those records sent to other members of the database, but Robertson does not teach the creation of *access accounts* for each individual record that are transmitted to the individuals. As such, any combination of the above-cited references similarly fails to teach or suggest such claim limitations.

For the above reasons, Applicant respectfully submits that *prima facie* obviousness has not been established and the rejection of pending claims 1-7, 9, 11 and 12 is improper.

Para. 4. 35 USC 103(a) Rejection of Claim 8

Claim 8 was rejected under 35 USC 103(a) as being unpatentable over Reilly in view of Robertson and in further view of Trent et al (USPN 5,961,620).

As stated above with regard to the 103(a) rejections of claims 1-7, 9, 11 and 12, there is no teaching or suggestion in any of the above cited references for a method of “creating an access account” based on records from an existing database and “transmitting the access account to the individuals.” As such, any combination of the above-cited references similarly

fails to teach or suggest such claim limitations.

For the above reasons, Applicant respectfully submits that *prima facie* obviousness has not been established and the rejection of pending claim 8 is improper.

Para. 5. 35 USC 103(a) Rejection of Claim 10

Claim 10 was rejected under 35 USC 103(a) as being unpatentable over Reilly in view of Robertson and in further view of Trent and Despres et al (USPN 6,434,379).

As stated above with regard to the 103(a) rejections of claims 1-9, 11 and 12, there is no teaching or suggestion in any of the above cited references for a method of “creating an access account” based on records from an existing database and “transmitting the access account to the individuals.” As such, any combination of the above-cited references similarly fails to teach or suggest such claim limitations.

For the above reasons, Applicant respectfully submits that *prima facie* obviousness has not been established and the rejection of pending claim 10 is improper.

Para. 6. 35 USC 103(a) Rejection of Claims 13-19 and 21

In Paragraph 6 of the Official Action, claims 13-19 and 21 were rejected under 35 USC 103(a) as being unpatentable over Lee et al (USPN 6,108,691).

With regard to claims 13-16, Applicant has cancelled the claims and the rejection is no longer applicable.

With regard to claims 17-19 and 21, the 103(a) rejection is improper. Among other limitations, Lee fails to disclose or suggest a “database automatically populated with existing customer data.” Without any teaching or suggestion, *prima facie* obviousness has not been established and the rejection of claims 17-19 and 21 under 103(a) is improper.

Para. 7. 35 USC 103(a) Rejection of Claim 20

In Paragraph 7 of the Official Action, claim 20 was rejected under 35 USC 103(a) as being unpatentable over Lee et al in view of Trent.

As stated above with regard to the rejection of claims 13-19 and 21, among other limitations, Lee fails to disclose or suggest a "database automatically populated with existing customer data." Without any teaching or suggestion, *prima facie* obviousness has not been established and the rejection of claim 20 under 103(a) is improper.

Para. 8. 35 USC 103(a) Rejection of Claims 22 and 23

In Paragraph 8 of the Official Action, claims 22 and 23 were rejected under 35 USC 103(a) as being unpatentable over Lee et al in view of Trent and Despres.

As stated above with regard to the rejection of claims 13-21, among other limitations, Lee fails to disclose or suggest a "database automatically populated with existing customer data." Without any teaching or suggestion, *prima facie* obviousness has not been established and the rejection of claims 22 and 23 under 103(a) is improper.

Applicant respectfully requests reconsideration and that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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